

House Study Bill 603 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
PUBLIC SAFETY BILL BY
CHAIRPERSON LYKAM)

A BILL FOR

- 1 An Act relating to eluding or attempting to elude a marked law
- 2 enforcement vehicle, and providing a penalty.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.279, subsection 2, Code 2009, is
2 amended to read as follows:

3 2. a. The driver of a motor vehicle commits an aggravated
4 misdemeanor if the driver willfully fails to bring the motor
5 vehicle to a stop or otherwise eludes or attempts to elude a
6 marked official law enforcement vehicle that is driven by a
7 uniformed peace officer after being given a visual and audible
8 signal as provided in this section and in doing so exceeds the
9 speed limit by twenty-five miles per hour or more.

10 b. The driver of a motor vehicle commits an aggravated
11 misdemeanor if the driver willfully fails to bring the motor
12 vehicle to a stop or otherwise eludes or attempts to elude a
13 marked official law enforcement vehicle that is driven by a
14 uniformed peace officer after being given a visual and audible
15 signal as provided in this section and in doing so endangers
16 the safety or property of another driver of a motor vehicle,
17 pedestrian, bicyclist, or real property owner or lessee, other
18 than a peace officer acting within the official capacity of the
19 officer.

20 Sec. 2. IMPLEMENTATION OF ACT. Section 25B.2, subsection
21 3, shall not apply to this Act.

22 EXPLANATION

23 This bill relates to eluding or attempting to elude a marked
24 law enforcement vehicle.

25 The bill provides that a driver of a motor vehicle commits an
26 aggravated misdemeanor if the driver willfully fails to bring
27 the motor vehicle to a stop or otherwise eludes or attempts to
28 elude a marked official law enforcement vehicle that is driven
29 by a uniformed peace officer after being given a visual and
30 audible signal and in doing so endangers the safety or property
31 of another driver of a motor vehicle, pedestrian, bicyclist,
32 or real property owner or lessee, other than a peace officer
33 acting within the official capacity of the officer.

34 An aggravated misdemeanor is punishable by confinement for
35 no more than two years and a fine of at least \$625 but not more

1 than \$6,250.

2 The bill may include a state mandate as defined in Code
3 section 25B.3. The bill makes inapplicable Code section 25B.2,
4 subsection 3, which would relieve a political subdivision from
5 complying with a state mandate if funding for the cost of
6 the state mandate is not provided or specified. Therefore,
7 political subdivisions are required to comply with any state
8 mandate included in the bill.